

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

QUINCEY LAMAR HILL,)	
)	
Petitioner,)	
)	
v.)	1:14CV479
)	
FRANK PERRY,)	
)	
Respondent.)	

ORDER

On June 12, 2014, the United States Magistrate Judge's Recommendation was filed and notice was served on the parties pursuant to 28 U.S.C. § 636. (Docs. 2 and 3.) Petitioner timely filed objections (Doc. 4) to the Recommendation.

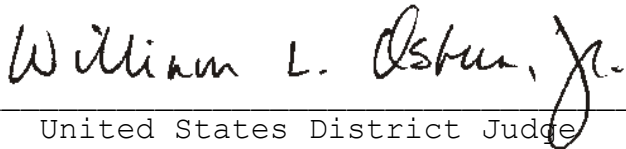
This court has appropriately reviewed the portions of the Recommendation to which objection was made and has made a de novo determination which is in accord with the Magistrate Judge's Recommendation. This court therefore adopts the Recommendation.

IT IS THEREFORE ORDERED that Petitioner's document (Doc. 1) is construed as a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254, and that this action is hereby **DISMISSED WITHOUT PREJUDICE** to Petitioner filing a new petition correcting the defects set out in the Order and Recommendation. The new

petition must be accompanied by either the five dollar filing fee or a current application to proceed in forma pauperis.

A Judgment dismissing this action will be entered contemporaneously with this Order. Finding no substantial issue for appeal concerning the denial of a constitutional right affecting the conviction, nor a debatable procedural ruling, a certificate of appealability is not issued.

This the 1st day of August, 2014.


United States District Judge